

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0167.02 Jacob Baus x2173

HOUSE BILL 23-1009

HOUSE SPONSORSHIP

Lindsay,

SENATE SPONSORSHIP

Moreno,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE SERVICES FOR STUDENTS WHO**
102 **USE SUBSTANCES, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Colorado Youth Advisory Council Committee. The bill creates the secondary school student substance use committee (committee) in the department of education (department) to develop a practice, or identify or modify an existing practice, for secondary schools to implement that identifies students who need substance use treatment, offers a brief

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

intervention, and refers the student to substance use treatment resources.

The department is required to publicly publish a report of the committee's findings and submit the report to the superintendent of every school district and chief administrator of every institute charter school that is a secondary school.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

- (a) Substance use is a major issue afflicting Colorado youth;
- (b) Colorado has higher levels of substance use, particularly among youth, than most other states;
- (c) Colorado schools' substance use intervention programs lack uniformity, resulting in inequitable interventions and treatment referrals for youth;
- (d) A screening, brief intervention, and referral to treatment methodology has been adopted by schools with school-based health centers, and this methodology has revolutionized substance use treatment for youth;
- (e) The screening, brief intervention, and referral to treatment methodology, if modified appropriately, may be implemented in secondary schools without school-based health centers in order to provide more support to youth who use substances;
- (f) Access to the crisis response system is critical for youth suffering from behavioral health and substance use crises; and
- (g) Adequate funding for the crisis response system is necessary to ensure that youth suffering from behavioral health and substance use crises may seek and receive timely support in order to prevent avoidable outcomes.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-148 as
2 follows:

3 **22-2-148. Secondary school student substance use - committee**
4 **- definitions - repeal.** (1) (a) THERE IS CREATED IN THE DEPARTMENT THE
5 SECONDARY SCHOOL STUDENT SUBSTANCE USE COMMITTEE, REFERRED TO
6 IN THIS SECTION AS THE "COMMITTEE". ON OR BEFORE AUGUST 1, 2023,
7 THE COMMISSIONER SHALL APPOINT THE FOLLOWING MEMBERS TO SERVE
8 ON THE COMMITTEE:

9 (I) TWO MEMBERS WHO ARE STUDENTS AT A PUBLIC SECONDARY
10 SCHOOL, ONE WHO ATTENDS A SCHOOL THAT IS LOCATED IN A RURAL
11 SCHOOL DISTRICT AND ONE WHO ATTENDS A SCHOOL THAT IS NOT
12 LOCATED IN RURAL SCHOOL DISTRICT;

13 (II) TWO MEMBERS WHO ARE TEACHERS AT A PUBLIC SECONDARY
14 SCHOOL, ONE WHO TEACHES AT A SCHOOL THAT IS LOCATED IN A RURAL
15 SCHOOL DISTRICT AND ONE WHO TEACHES AT A SCHOOL THAT IS NOT
16 LOCATED IN A RURAL SCHOOL DISTRICT;

17 (III) TWO MEMBERS WHO ARE STATE-LICENSED OR
18 STATE-CERTIFIED MENTAL HEALTH PROFESSIONALS THAT PROVIDE MENTAL
19 HEALTH COUNSELING AT A PUBLIC SECONDARY SCHOOL, ONE WHO IS A
20 MENTAL HEALTH PROFESSIONAL AT A SCHOOL THAT IS LOCATED IN A
21 RURAL SCHOOL DISTRICT AND ONE WHO IS A MENTAL HEALTH
22 PROFESSIONAL AT A SCHOOL THAT IS NOT LOCATED IN A RURAL SCHOOL
23 DISTRICT;

24 (IV) TWO MEMBERS WHO ARE SCHOOL ADMINISTRATORS AT A
25 PUBLIC SECONDARY SCHOOL, ONE WHO IS A SCHOOL ADMINISTRATOR AT
26 A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO
27 IS A SCHOOL ADMINISTRATOR AT A SCHOOL THAT IS NOT LOCATED IN A

1 RURAL SCHOOL DISTRICT;

2 (V) TWO MEMBERS WHO ARE PARENTS OR LEGAL GUARDIANS OF
3 A STUDENT ATTENDING A PUBLIC SECONDARY SCHOOL, ONE WHO IS A
4 PARENT OR LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT
5 IS LOCATED IN A RURAL SCHOOL DISTRICT AND ONE WHO IS A PARENT OR
6 LEGAL GUARDIAN OF A STUDENT ATTENDING A SCHOOL THAT NOT IS
7 LOCATED IN A RURAL SCHOOL DISTRICT;

8 (VI) TWO MEMBERS WHO ARE LICENSED MEDICAL PROFESSIONALS
9 WITH EXPERTISE IN ADOLESCENT SUBSTANCE USE DISORDERS, ONE WHO
10 PRACTICES IN A RURAL REGION AND ONE WHO PRACTICES IN AN URBAN OR
11 SUBURBAN REGION;

12 (VII) TWO MEMBERS WHO ARE SCHOOL NURSES, ONE WHO IS A
13 SCHOOL NURSE AT A SCHOOL THAT IS LOCATED IN A RURAL SCHOOL
14 DISTRICT AND ONE WHO IS A SCHOOL NURSE AT A SCHOOL THAT IS NOT
15 LOCATED IN A RURAL SCHOOL DISTRICT; AND

16 (VIII) TWO MEMBERS WHO ARE EXPERTS IN THE PRACTICE OF
17 SUBSTANCE USE SCREENING, BRIEF INTERVENTION, AND REFERRAL TO
18 TREATMENT, ONE WHO PRACTICES IN A RURAL REGION AND ONE WHO
19 PRACTICES IN AN URBAN OR SUBURBAN REGION.

20 (b) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE
21 COMMITTEE MUST INCLUDE PERSONS FROM THROUGHOUT THE STATE AND
22 REFLECT THE RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY OF THE STATE.

23 (c) MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE
24 COMMISSIONER, AND SERVE WITHOUT COMPENSATION OR PER DIEM.

25 (2) THE COMMITTEE SHALL DEVELOP A PRACTICE, OR IDENTIFY OR
26 MODIFY AN EXISTING PRACTICE, FOR SECONDARY SCHOOLS TO IMPLEMENT
27 THAT IDENTIFIES STUDENTS' SUBSTANCE USE, OFFERS BRIEF INTERVENTION

1 WITH INFORMATION REGARDING SUBSTANCE USE AND CONSEQUENTIAL
2 HEALTH RISKS, AND REFERS THE STUDENTS TO SUBSTANCE USE
3 TREATMENT RESOURCES. THE COMMITTEE SHALL CONSIDER EXISTING AND
4 AVAILABLE INFORMATION CONCERNING SECONDARY SCHOOL STUDENT
5 SUBSTANCE USE IN COLORADO, AND HOW THE PRACTICE MUST ADDRESS
6 THE CHALLENGES, RESOURCES, AND NEEDS IDENTIFIED FROM THE EXISTING
7 AND AVAILABLE INFORMATION.

8 (3) ON OR BEFORE JANUARY 5, 2024, THE COMMITTEE SHALL
9 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED
10 PRACTICE PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE
11 DEPARTMENT SHALL PUBLISH THE REPORT ON ITS WEBSITE AND SUBMIT
12 THE REPORT TO THE SUPERINTENDENT OF EVERY SCHOOL DISTRICT AND
13 THE CHIEF ADMINISTRATOR OF EVERY INSTITUTE CHARTER SCHOOL THAT
14 IS A SECONDARY SCHOOL.

15 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
16 REQUIRES:

17 (a) "LICENSED MEDICAL PROFESSIONAL" MEANS A PSYCHOLOGIST
18 OR PHYSICIAN LICENSED TO PRACTICE IN COLORADO.

19 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
20 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL, BASED ON THE
21 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
22 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

23 (c) "SECONDARY SCHOOL" MEANS A MIDDLE SCHOOL, JUNIOR HIGH
24 SCHOOL, OR HIGH SCHOOL.

25 (d) "SUBSTANCE USE" MEANS THE USE OF ALCOHOL, TOBACCO,
26 CONTROLLED SUBSTANCES, OR PRESCRIPTION MEDICATION.

27 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

1 **SECTION 3. Appropriation.** For the 2023-24 state fiscal year,
2 \$49,950 is appropriated to the department of education. This
3 appropriation is from the general fund and is based on an assumption that
4 the department will require an additional 0.2 FTE. To implement this act,
5 the department may use this appropriation for a secondary school student
6 substance use committee.

7 **SECTION 4. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety.